

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

MARKEL DA'QUAN STEELE,

Petitioner,

vs.

SCOTT R. FRAKES,

Respondent.

**8:22CV23**

**MEMORANDUM AND ORDER**

This matter is before the court on Petitioner's motion (filing 17) seeking a 15-day extension to file a reply to Respondent's reply brief (filing 16).

The court's progression order entered on March 21, 2022, does not provide for the filing of any further briefing after Respondent files a reply brief. (Filing 8.) Rather, the progression order provides in relevant part:

- D. No later than 30 days following the filing of the motion for summary judgment, Petitioner must file and serve a brief in opposition to the motion for summary judgment. *Petitioner may not submit other documents unless directed to do so by the court.*
- E. No later than 30 days after Petitioner's brief is filed, Respondent must file and serve a reply brief. In the event that Respondent elects not to file a reply brief, he should inform the court by filing a notice stating that he will not file a reply brief and that the motion is therefore fully submitted for decision.

(*Id.* at CM/ECF p. 3 (emphasis added).) Thus, there is no applicable deadline for which Petitioner could receive an extension.

To the extent Petitioner's motion could be construed as seeking leave to submit additional briefing, Petitioner has not demonstrated good cause for such additional briefing or why additional briefing would be necessary or helpful to the court. Accordingly,

IT IS ORDERED that: Petitioner's motion for an extension of time (filing 17) is denied. This matter is fully submitted and ripe for decision, and the court will issue a ruling in its normal course of business.

Dated this 23rd day of June, 2022.

BY THE COURT:



Richard G. Kopf  
Senior United States District Judge